

Reviewing housing association application processes for people with a learning disability

housing  options
scotland 

ABOUT



Housing Options Scotland (HOS) is Scotland's housing information and advice charity for disabled people, older adults and members of the Armed Forces community. We offer a one-to-one casework service to clients, giving expert knowledge and advice about the different housing options available in Scotland.

SUMMARY

People with a learning disability generally have a harder time applying for social housing than people who don't. We want to expand the number of people with learning disabilities we support to find the right home in the right place. With the help of dedicated volunteers, we committed to understanding the issue in greater detail.

Social housing is an attractive option, but many of our clients struggle with application processes that can be confusing. Our volunteers set out to audit allocation policies from social housing providers in Scotland and uncover examples of good practice to share with others in the sector.

Allocation policies vary from housing provider to housing provider. All should explain how and when housing is allocated, and describe the commitments the provider makes to protected groups like people with learning disabilities. This ensures applicants have clear and reasonable expectations.

We found a mixed picture of provision for people with learning disabilities applying for housing association properties.

122 out of 150 housing associations had made their allocation policy available online. Of those available allocation policies only 42 (30%) specifically mentioned people with learning disabilities.

Allocation policies are not always clear about how they consider applications from people with learning disabilities and, amongst the good practice we see, it can sometimes appear that this support comes on a case-by-case basis, rather than uniformly and fairly applied across the board.

Disappointingly, there appears to be a disparity in the way learning disability and physical disability are represented in these policies. We found a notable absence of reference to people with learning disabilities in allocation policies.

Our overriding conclusion is that more work needs to be done in this area.



We would like to see housing associations make a greater effort to provide easy read versions of their allocation policies.



We would encourage housing associations to consider these issues and improve their policies.



We would like to see greater involvement of people with learning disabilities in housing association tenant participation structures, and specific involvement of people with learning disabilities when allocation policies are being reviewed.

INTRODUCTION

Social housing is an attractive option for many Housing Options Scotland clients. Generally speaking, social housing can offer greater security of tenure, more affordable rents and higher repair standards than in the private rental sector.

Many of our clients struggle with completing applications for social housing. Despite best efforts, application forms can be confusing, and it isn't always clear for those outside the sector how the process works, and when/how housing is allocated.

Housing associations' allocation policies are the framework for how they deal with applications for housing, how they advise and support applicants and how they make decisions about who is offered housing.

Volunteers at HOS committed to helping us understand this topic in greater detail. They asked:



What do published policies tell us about how social housing providers in Scotland consider applicants with a learning disability?



Are there provisions in place to specifically support applicants from this group, and are there any allocation policies out there which explicitly offer priority or additional support for these applicants?







We are grateful to our volunteers Tessa Brown and Lindsay Roches for assisting us with the project. With support from the staff team, they set out to audit the allocation policies published by housing associations registered with the Scottish Housing Regulator. This paper sums up the research, looking at what allocation policies have to say about support for applicants with a learning disability.

We recognise that the scope of our exercise and its findings are limited, but hope that the insights of this short paper help to advance conversations about these important considerations.

BACKGROUND

The Scottish Commission for Learning Disability has found that people with learning disabilities face significant challenges when applying for social housing.¹

These include:

-  • the general issue of **under-supply of this kind of housing** compared to demand
-  • a perceived **lack of consistency in advice** about housing options
-  • **funding for housing support**
-  • the **impact of welfare reform**
-  • **attitudes to people with learning disabilities** among social workers, landlords and support workers, and
-  • the **aspirations of people with learning disabilities** themselves, which are sometimes limited by their experience, awareness, and confidence.

The Commission recommended that social landlords “provide greater transparency in housing allocation decisions and ensure people with learning disabilities receive appropriate advice and support to make an informed choice on their housing”.

¹ Rachel Ormston, Jane Eunson and Gareth McAteer/Ipsos Mori Scotland (2017), [“Improving outcomes for people with learning disabilities: opportunities and challenges for housing”](#).

The legal and regulatory position

The law² says that when allocating houses social landlords must give 'reasonable preference' to three groups:

- people who are homeless, or who are threatened with homelessness and have unmet housing needs
- people living in unsatisfactory housing conditions who have unmet housing needs
- tenants of any social landlord who are under-occupying their current home.

Housing associations can take account of the needs of other groups as long as they do not dominate an allocation policy at the expense of these three groups.

Landlords are also expected to have regard to the provisions of the Equality Act 2010. The Scottish Government's practice guide to allocations³ notes that while housing associations are not subject to the specific public sector equality duty, the Equality and Human Rights Commission does encourage them to take on board the principle of these duties and prepare equality impact assessments where appropriate. So the practice guide recommends that housing associations should carry out an Equality Impact Assessment (EIA) to:

“ consider how their policy will impact, either positively or negatively, on different people in different ways. An assessment will help make sure that any policy reflects the needs of the communities a landlord serves, and it will help to identify gaps and ways to promote equality. ”

² Primarily the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2014

³ Scottish Government (2019), [“Social housing allocations in Scotland: a practice guide”](#)

⁴ Scottish Government (2017), [Scottish Social Housing Charter](#)

The Scottish Housing Regulator is responsible for regulating the activities of registered housing associations and the housing and homelessness functions of local councils. It monitors their performance against outcomes set out in the Scottish Social Housing Charter. The Charter outcomes that seem relevant to people with learning disabilities are:



Outcome 1: Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.



Outcome 2: Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.



Outcome 7: People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.



Outcome 8: Tenants and people on housing lists can review their housing options.



Outcome 10: People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.

These outcomes are mainly about accessibility, communication and information - all critical for applicants with a learning disability. The Scottish Government states in its statutory guidance⁵ that “Landlords should make

⁵ Scottish Government (2019), [Social housing allocations legal framework: statutory guidance for social landlords](#)

sure that their allocation policy is written in plain English and is available to all [...] A free summary of the allocation policy must be available to any member of the public who asks for one. It is also good practice for landlords to make their full allocation policy easily available and many landlords do so via their website."

METHODOLOGY

Our aim with this project was to assess what provision is made for people with learning disabilities in housing association allocation policies across Scotland. We chose desktop research to achieve this.

Of the 150 housing associations listed by the Scottish Housing Regulator, 23 did not have their allocation policy on their website. Reasons for this included the website being under review, the policy failing to load or the policy not being found. Many of the policies were out of date by a number of years, which means that work carried out may not have captured current policy and practice.

Findings were recorded in a table format to capture:

- **availability of the policy**
- **specific references to support for people with learning disabilities,**
- **lettings criteria** (for example, choice-based or points/bands, and if they were part of a common housing register)
- **any relevant general comments**, such as ease of access and date of policies.

Of the available 122 housing association allocations policies, only 42 (34%) made specific reference to people with learning disabilities. We targeted these housing associations for the next part of the research, by contacting them individually to share their experience. By email, we asked these 42 housing associations:

- **Are there any provisions in place to support applicants with a learning disability? If yes, what form do these take?**
 - **Does your allocations policy award priority to applicants with learning disabilities? If so, what does this priority look like?**
-

Fourteen housing associations responded to our requests for information. One respondent explained that they were a small association (less than 250 properties), with little turnover in tenancies. This means that allocation abilities can be restricted, and may have been a factor in other associations not taking the time to respond. We also posted an appeal for associations to get in touch and share their experiences via Scottish Housing News and on social media. We received no additional responses.

We recognise the limitations of this desktop exercise. Much of the good work established by housing associations goes beyond what is written in their allocation policies – these perform a legal function, and may not recognise good work that supports people with learning disabilities. Additionally, we used email addresses published on the regulator’s website, which is predominantly a central mailbox rather than to an individual which may have depressed response rates. Moreover, information was requested during the Covid-19 pandemic, when many people were working from home, on furlough and had competing priorities. Finally, people with learning disabilities were not involved in the project and we would build that into any future work

FINDINGS

Overall picture



- **Allocations policies do not contain much information on allowances for people with learning disabilities.** Learning disabilities are often overlooked, especially when compared to physical disabilities. This may be because physical disabilities are easier to relate to specific housing needs, for example, the need for a ground floor property or turning space for a wheelchair user.



- Additionally, **policies focus on the requirement to meet housing needs and on reasonable preference groups required by law, rather than on the individual needs of applicants.** There is also little mention of other protected characteristics such as age or ethnicity, but that doesn't necessarily mean housing associations are not taking individuals' housing needs into account.



- In other ways, **the support available to applicants with learning disabilities may not be so apparent**, for example, medical points may be offered despite not being mentioned explicitly in the allocation policy.



- **In 15% of cases we could not find an allocations policy on the association's website.** This effectively denies access to information.



- **Only 34% of available allocation policies referenced people with learning disabilities.** Even within these allocation policies, we did not identify any specific support or priority that aids access to housing for people with a learning disability. The primary type of reference in these policies was in relation to giving priority to

an individual when they are being harassed as a result of their disability. It is accepted good practice for this type of policy to state that any individual who is experiencing harassment or abuse for whatever reason, and is unsafe in their home, will be given priority to support a property move.



- **There were relatively few references to Equality Impact Assessments** (EIAs) and even fewer examples where an EIA was published on the website.

Practice examples

Despite the overall picture sketched above, we did find some examples of good practice. The cases below provide examples from the policies we reviewed:

Several housing associations in Inverclyde take part in the Inverclyde Common Housing Register (ICHR). They also share the same allocations policy. People can apply directly for a house, under a choice-based lettings system, or they may be referred by the Inverclyde Health and Social Care Partnership (IHSCP). People with learning disabilities are among the groups of people who can be referred by the IHSCP.

If an applicant has care or support needs the ICHR may arrange for a single shared assessment to be carried out before the application is processed. This means suitable care and support can be agreed at an early stage.

The allocations policy sets out clearly how and when support can be given if someone needs help to apply under the choice-based system.

A small, community-controlled Glasgow association provides support for people with learning difficulties through its Housing Options and Solutions interviews. It looks at all the applicant's circumstances, housing, and personal needs.

Its allocations policy recognises that discrimination can be indirect as well as direct and that equal opportunities mean maximising access for everyone.

Its commitment seems to be followed through in practice by making sure all members of the community can get to hear about what housing is available. One way of doing this is by making information available to organisations that represent or support people from disadvantaged groups, including Positive Action in Housing and the Glasgow Centre for Inclusive Living.

An association with stock in several areas of east and central Scotland specialises in providing housing and support for people with learning disabilities, as well as 'mainstream' housing.

Its allocations policy gives the highest priority to applicants such as those at risk of having to move to or stay in a hospital or a care home if they can't get suitable housing and support in the community.

The organisation recently launched a new website which is user-friendly and easy to navigate. Information about allocations and how to apply for a house is easy to find and understand, and available in audio as well as written form. Its allocations policy and a summary are available on request in Easy-Read format.

A housing association in Renfrewshire shares a common allocations policy with other associations in the area. It offers all applicants a Housing Options interview. If staff know ahead of the interview that an applicant has a learning disability they will be invited to bring someone with them, such as a friend, family member or support worker.

If it only becomes apparent during the interview that the applicant has a learning disability they will be given the option of rearranging the interview so that a support person can be present.

The association will also ask the applicant if they would like any changes to the way it deals with them (for example, if they would like a record of the interview).

Another association in the west of Scotland has published an Equality Impact Assessment as an appendix to its allocation policy. This shows that thought has been given to the needs of different equality groups as part the process of policy development.

The policy recognises that landlords have a responsibility to find ways to understand the rights and needs of different customers and to provide services that meet those needs.






This approach suggests the organisation understands the need to actively promote equality of outcome, rather than simply avoid discrimination.

An association in south-west Scotland recognises that vulnerable applicants can sometimes miss out under its choice-based lettings system (which depends on a proactive approach to bid for properties online). Its policy therefore includes the option of automatic bidding, with bids generated by the computer system. This option is mainly for applicants without access to the internet or who have additional support needs, and the bids are made in line with the property type and location the applicant has asked for. There is also an option of proxy bidding, where a member of the Community Team can place a bid on the applicant's behalf.

In some circumstances, the association will make a direct offer of housing to an applicant who has not bid for it. This is usually in exceptional circumstances and with supporting evidence from an external agency or social work department.

The association monitors applications and allocations to make sure that people with special needs are getting fair access to housing.

CONCLUSIONS & RECOMMENDATIONS

-  • Our overriding conclusion is that more work needs to be done in this area. Where we would expect to find people with learning disabilities included in policies, we found a notable absence. There is a disparity in the way learning disability and physical disability are represented in these policies.
-  • We would like to see housing associations make a greater effort to provide easy read versions of their allocation policies.
-  • We would encourage housing associations to consider these issues and improve their policies.
-  • We would like to see greater involvement of people with learning disabilities in housing association tenant participation structures, and specific involvement of people with learning disabilities when allocation policies are being reviewed.
-  • We would like to see more housing associations publishing an Equality Impact assessment to accompany their allocation policy.

We encourage all and any housing associations to get in touch about the research and want to thank everyone involved for their input.